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1 2 3 4 5 6 7	Tanya E. Moore, SBN 206683 MOORE LAW FIRM, P.C. 1900 Camden Avenue, Suite 101 San Jose, California 95124 Telephone (408) 298-2000 Facsimile (408) 298-6046 E-mail: service@moorelawfirm.com Attorney for Plaintiff, Jose Escobedo	
8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
10		
11	JOSE ESCOBEDO,) Case No. 1:24-cv-00590-SKO
12	Plaintiff,) STIPULATION GRANTING PLAINTIFF) LEAVE TO FILE FIRST AMENDED
13 14	VS.	COMPLAINT; ORDER
15	CASA CORONA FOODS, INC dba CASA	(Doc. 27)
16	CORONA, et al.,))
17	Defendants.	
18)
19)
20	WHEREAS Plaintiff Jose Escapedo	("Plaintiff"), seeks to amend his complaint to
21	allege additional access barriers which relate to his disability which were identified during the	
22	pendency of this action;	
23	WHEREAS, the Ninth Circuit both urges and requires Plaintiff to identify in his	
24	complaint all barriers which relate to his disability (Chapman v. Pier 1 Imports (U.S.) Inc., 631	
25	F.3d 939, 944 (9th Cir. 2011); Oliver v. Ralphs Grocery Co., 654 F.3d 903, 909 (9th Cir. 2011));	
26	WHEREAS, Plaintiff has not unduly delayed the amendment, does not bring it in bad	
27	faith, the amendment is not futile, and such amendment does not prejudice the defendants, nor	
28	does the amendment in any way change the nature of the action; and	
		VE TO EILE EIDST AMENDED COMDLAINT.

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WHEREAS, this amendment would not alter any dates or deadlines set by the Court; 1 2 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and 3 Defendants Casa Corona Foods, Inc, Casa Foods Incorporation, or Cedar Pointe Investors, LP, 4 the parties to this Action, through their respective attorneys of record, that Plaintiff may file a First Amended Complaint, a copy of which is attached hereto as Exhibit "A" with redlines 5 6 showing the changes from the original Complaint. 7 IT IS FURTHER STIPULATED that Plaintiff shall file his First Amended Complaint 8 within five (5) calendar days of the Court's Order permitting such filing, and that Defendant's 9 response thereto shall be due as required by the Federal Rules of Civil Procedure. 10 IT IS SO STIPULATED. 11 Dated: December 2, 2024 MOORE LAW FIRM, P.C. 12 /s/ Tanya E. Moore 13 Tanya E. Moore Attorney for Plaintiff, 14 Jose Escobedo 15 Dated: December 4, 2024 McCORMICK, BARSTOW, 16 SHEPPARD, WAYTE & CARRUTH LLP 17 18 /s/ David L. Emerzian David L. Emerzian 19 Attorneys for Defendants, Casa Corona Foods, Inc. dba Casa Corona 20 and Casa Foods Incorporation dba Casa 21 Corona 22 Dated: December 4, 2024 REDEN | RIDDELL 23 /s/ Justin G. Reden 24 Justin G. Reden Stepheney R. Windsor 25 Attorneys for Defendant, Cedar Pointe Investors, LP 26 27

STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT; ORDER

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Case 1:24-cv-00590-SKO Document 28 Filed 12/10/24 Page 3 of 3 **ORDER** The Parties having so stipulated (Doc. 27) and good cause appearing (see Fed. R. Civ. P. 15(a)),IT IS HEREBY ORDERED that Plaintiff may file his First Amended Complaint, a redlined copy of which was filed with the Parties' stipulation, within five (5) calendar days of the date this Order is filed. IT IS FURTHER ORDERED that Defendants' response thereto shall be filed within the time required by the Federal Rules of Civil Procedure. IT IS SO ORDERED. Isl Sheila K. Oberto Dated: **December 9, 2024** UNITED STATES MAGISTRATE JUDGE

STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT; ORDER